

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

JOSE PADILLA, SR., Personal Representative for
the Estate of Jose Padilla, Jr.,

Plaintiff,

v.

BRIAN HUBBARD, MICHAEL JONES, SARAH
TAYLOR, CITY OF PORTLAND, municipal
subdivision of the State of Oregon,

Defendant.

CV No. 05-1963-AS

OPINION
AND ORDER

ASHMANSKAS, Magistrate Judge:

Currently before the court is defendants' motion for summary judgement (No. 25). Plaintiff does not contest any of the allegations or factual assertions made in the motion. Plaintiff's Response to Motion for Summary Judgment, p. 3:17-18. Based on that concession and a review of the affidavits, declarations and exhibits defendants have introduced into the summary judgment record, the court adopts in its entirety the Concise Statement of Facts filed by defendants.

In light of the uncontroverted facts, and for the reasons stated in defendants' memorandum,

including the standards set forth in Blanford v. Sacramento County, 406 F.3d 1110, 1115-18 (9th Cir. 2005), defendants are entitled to judgment in their favor as a matter of law.

CONCLUSION

Defendants' motion (Docket No. 25) is granted.

DATED this 5th day of December, 2006.

/s/Donald C. Ashmanskas

DONALD C. ASHMANSKAS
United States Magistrate Judge